

Below is an order of the court.



DAVID W. HERCHER  
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT

FOR THE DISTRICT OF OREGON

In re  
U.S. Outdoor Holding LLC,  
Debtor.

Case No. 20-32571-dwh11

Chapter 11

**ORDER DIRECTING DEBTOR TO  
APPEAR FOR RULE 2004  
EXAMINATION AND PRODUCE  
DOCUMENTS AND AUTHORIZING  
ISSUANCE OF SUBPOENAS**

This matter having come before the Court on the Ex Parte Motion of Robert D. Solomon for Rule 2004 Examination of Debtor, Production of Documents and Issuance of Subpoenas (the “*Motion*”), and the Court having considered the Motion and good cause existing therefore, IT IS HEREBY

ORDERED that the Motion is granted; IT IS FURTHER

ORDERED that Edward Ariniello, in his capacity as representatives of U.S. Outdoor Holding, LLC, the debtor in the above-captioned action (the “*Debtor*”), shall

personally appear by video conference for oral examination at 10:00 a.m. on January 22, 2021;

IT IS FURTHER

ORDERED that the examination may be conducted via video conference before a court reporter authorized to administer oaths in the State of Oregon. The reporter may report the examination from a location separate from the witness and may administer the oath to the witness remotely. Counsel for the parties may participate in the examination from various, separate locations. Exhibits for the examination, if any, may be provided simultaneously and electronically to the witness and all participants. The examination may be recorded stenographically; IT IS FURTHER

ORDERED that the Debtor shall produce to the undersigned counsel to Mr. Solomon no later than 5:00 p.m. Pacific Time on January 15, 2021 the documents listed on **Exhibit 1** hereto; IT IS FURTHER

ORDERED that the Debtor shall disclose to the undersigned counsel to Mr. Solomon no later than three (3) days after the entry of this Order the name of the Debtor's insurer on the flood damage at 219 SW Broadway, Portland, Oregon 97205 (the "**Insurer**"); IT IS FURTHER

ORDERED that pursuant to Federal Rule of Bankruptcy Procedure 2004(c), Mr. Solomon is authorized to issue a subpoena to the Insurer for all insurance records and communications related to the flood damage at 219 SW Broadway, Portland, Oregon 97205.

# # #

I certify that I have complied with the requirements of LBR 9021-1(a).

Presented by:

MILLER NASH GRAHAM & DUNN LLP

/s/ Garrett S. Ledgerwood

Garrett S. Ledgerwood, OSB No 143701

Attorneys for Robert D. Solomon

## EXHIBIT 1

### Document Production

1. All documents and communications relating to any flood damage at 219 SW Broadway, Portland, Oregon 97205, including without limitation any claims submitted to insurers, repair quotes, invoices, copies of checks related to the repair of the flood damage and reimbursement for the loss, communications with insurers, claims adjusters, employees, shareholders, officers, contractors and repairmen, inspection reports, and photographs.

### Definitions

For purposes of this document production, terms otherwise undefined above shall have the following meaning:

- A. "**Communications**" means any transmission of information between or among two or more persons or entities, including but not limited to (a) any written letter, note, memorandum, correspondence, e-mail, electronic memorandum, instant message, text message, telefax, coded message, chat, website posting (including postings from social media sites, whether private or not private), or other document; (b) any telephone call between two or more persons, whether or not such call was by chance or prearranged, formal or informal, or by voice-mail; and (c) any conversation or meeting between two or more persons, whether or not such a contact was by chance or prearranged, formal, or informal. Unless otherwise agreed, all documents must be produced in their native form.
- B. "**Document**" or "**documents**" has the broadest meaning permitted under the Federal Rules of Civil Procedure and the Federal Rules of Bankruptcy Procedure and includes without limitation all originals, drafts, and nonidentical copies of written, recorded, or graphic matter and information stored on any electronic medium that is capable of being retrieved or reproduced, including without limitation information maintained in computer systems, tapes, disks, or files, on microfilm or microfiche, or in any other information storage system, such as e-mail. Any comment, notation, or marking appearing on any document, and not a part of the original, is to be considered a separate document, and any draft, preliminary form, or superseded version of any document is also to be considered a separate document. Unless otherwise agreed, all documents must be produced in their native form.
- C. The terms "**or**" and "**and**" shall each be construed disjunctively or conjunctively so as to require the broadest possible production in response to any given request.
- D. The words "**pertain**" or "**relate to**" (or "**pertaining to**" or "**relating to**") are used in the broadest sense and mean to refer to, discuss, involve, reflect, arise from, arise out of, arise under, deal with, consist of, represent, associate with, constitute, emanate from, direct at, support, evidence, describe, or mention.
- E. The singular form of any word used herein includes the plural and vice versa.